

CITY COUNCIL
ATLANTA, GEORGIA

02-0-1986

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-02-76
DATE FILED: 3-13-03

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended and the maps established in connection therewith be changed so that the following property located at **2142 James Jackson Parkway, N.W.** be changed from the **I-1 (Light Industrial) & I-2 (Heavy Industrial)** Districts, to the **PD-H (Planned Development-Housing)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots **255, 256, 263 & 264** of the **17th** District, **Fulton** County, Georgia, being more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "Planned Development District," and Chapters 19A through 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

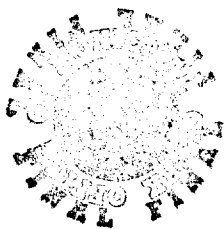
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Phoncia Daughkin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

September 2, 2003
September 10, 2003



Conditions for Z-02-76

1. Site plan entitled "Chattahoochee Village" prepared by Eberly and Associates, dated February 25, 2003, and marked received by the Bureau of Planning March 13, 2003.
2. The attached list of additional conditions marked Exhibit A and consisting of three (3) pages shall also be considered conditions governing the development of this property.

ZONING SUMMARY

CURRENT ZONING - I-1, LIGHT INDUSTRIAL, I-2, HEAVY INDUSTRIAL
ALLOWED DENSITY - 2.5 F.A.S. - 4,500,000 SQUARE FEET
COMPREHENSIVE DEVELOPMENT 14-YEAR PLAN -
INDUSTRIAL, & LOW DENSITY RESIDENTIAL

PROPERTY SUMMARY

7.3 ACRES TOTAL - 30033 LOT AREA
LOCATION - N.W. ATLANTA, INSIDE I-285, ADJACENT TO CHATTAHOOCHEE RIVER
ACCESS - S.R. 285 JAMES JACKSON PARKWAY, PARROT AVENUE, BOLTON ROAD
APPROX. FRONTAGE - 3.8 AC. 285' 11" W. PARROT AVE. 1785 FT., BOLTON RD. 280 FT.
OTHER ACCESS - HUNTERCOTT, SOUTHERN RAILROAD
UTILITIES - GAS, POWER, CITY OF ATLANTA WATER & SEWER
CURRENT USE - HEAVY INDUSTRIAL - BRICK MANUFACTURING
EXISTING BUILDINGS - APPROX. 18,000 SQUARE FEET, CONCRETE BLOCK / METAL ROOF

PROPOSED ZONING SUMMARY

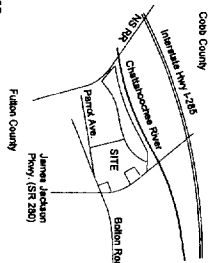
PROPOSED ZONING - PD-H, SECTOR 2, RESIDENTIAL, LOW DENSITY
PROPOSED USE - MIXED RESIDENTIAL DEVELOPMENT

LAND USE INTENSITY RATIOS	Flow Area	Total Open Space	Usable Open Space
(FAR)	(FAR)	(FAR)	(FAR)
Maximum Allowed under Sector 2	245	73	46
Maximum Allowed per Site Plan	202	34	75

PARKING SUMMARY

Min. Req'd by Zoning 1.3 Spaces per Unit
Min. Req'd by Site Plan 1.3 Spaces per Unit
Parking Spaces to be provided: 689 Minimum
All egress in the proposed development are to be private, and will be maintained by the Homeowners Association.

VICINITY MAP (Not To Scale)

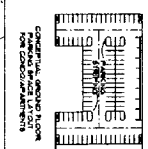
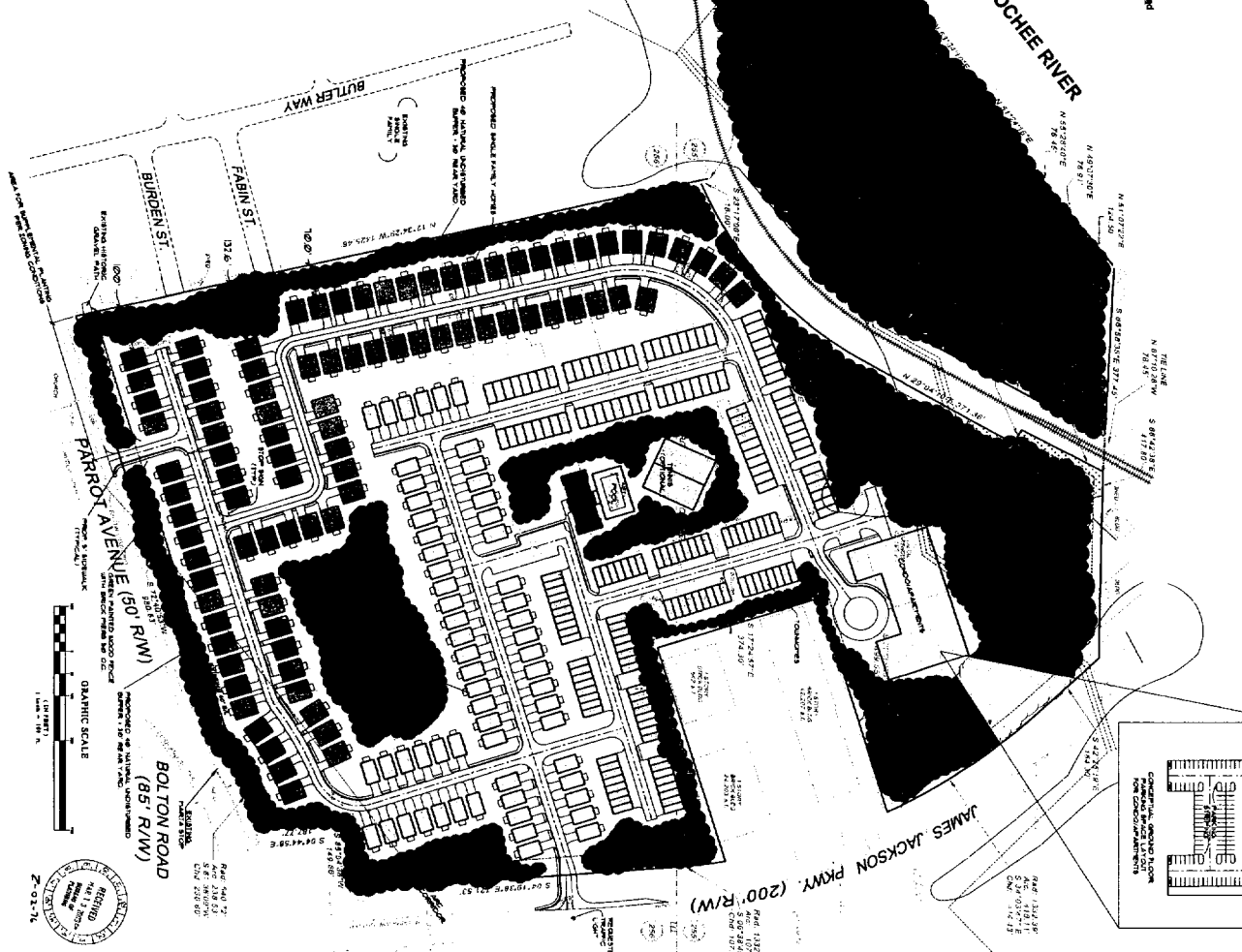
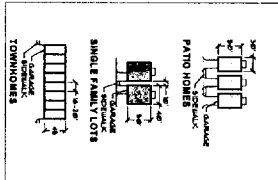


SITE PLAN UNIT SUMMARY

TOTAL UNITS TO BE BUILT: 389 MAXIMUM SQUARE FOOTAGE: 990,000

UNIT MIX CHART WITH MAXIMUMS BY UNIT TYPE	KEY	MAX. NUMBER BY UNIT TYPE	MAX. SQ. FOOTAGE BY UNIT TYPE	MAX. SQ. FOOTAGE PER UNIT TYPE	MAX. HEIGHT BY UNIT TYPE
PATIO HOMES	95	3,000	240,000	35	56
TOWNHOMES	90	2,500	200,000	56	56
TOWNHOMES	100	1,800	144,000	56	56
CONDOMINIUMS	85	1,300	117,000	70	70

BUILDING DETAILS



PROJECT:
CHATTAHOOCHEE VILLAGE
LAND LOTS 255 & 256
17th DISTRICT
CITY OF ATLANTA
FULTON COUNTY, GEORGIA

LAND PLANNING
CITY ENGINEERING
LANDSCAPE ARCHITECTURE

TEL: 770.432.7100 FAX: 770.432.7006
3885 NORTH DUNWOODY ROAD
ALPHARETTA, GA 30009
WWW.BEVI.NET

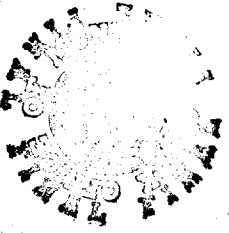


ZONING PLAN

SCALE 1"=100'
DATE 2/25/03
DRAWN BY PIK
PROJECT MANAGER: ALG
QA/QC CHECK: ALG

PROJECT NO
02-095

Z-1



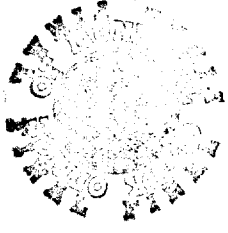
2-02-76

Exhibit A

Page 1 of 3

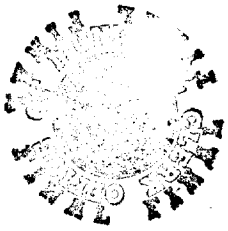
2. Natural undisturbed buffers:

- a) On the western boundary of the developed portion of the property between Parrot Avenue and the railroad track adjacent to the Whittier Mill Neighborhood, there shall be a 40 ft. natural undisturbed buffer and a 30 ft. rear yard (or side yard as applicable) for each single family lot. Porches and entries, enclosed or unenclosed, may be provided in said rear yards, provided that such structures shall not extend more than 12 feet into such yards. Between Fabin Street and Parrot Avenue, the buffer shall be as shown on the Site Plan.
- b) On the southern boundary of the property fronting on Parrot Avenue, there shall be a 40 foot natural undisturbed buffer and a 30 foot rear yard (or side yard as applicable) for each single family lot. Porches and entries, enclosed or unenclosed, may be provided in said rear yards, provided that such structures shall not extend more than 12 feet into such yards. A six foot high wood privacy fence shall be constructed at the boundary between the rear yards and the buffer. The fence shall be painted dark green and shall have brick piers on 50 foot centers.
- c) During construction, the natural undisturbed buffers described above will be protected by installation of tree protection fences and silt fences at the interior boundary of the buffers. Storm water runoff shall be channeled to a drainage area onsite between the rear yards and the buffers.
- d) The covenants for the homeowners' association to be created for the development will provide that the association will maintain the natural undisturbed buffers described above.
- e) For the portion of the natural undisturbed buffer running from the southwest corner of the property to the new entrance onto Parrot Avenue, the buffer shall be planted with 2 inch caliper shade trees and evergreen shrubs alternating 15 feet on center.
- f) For the portion of the natural undisturbed buffer running along Parrot Avenue from the new entrance onto Parrot Avenue to the southeast corner of the property, the buffer shall be planted with 2 inch caliper shade trees and evergreen shrubs alternating 15 feet on center where such plantings are not already present.

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3. The single family lots along the western boundary of the property from Parrot Avenue to the railroad track and along the southern boundary of the property fronting on Parrot Avenue shall have an area of not less than 7,500 sq. ft. and an interior street frontage of not less than 50 ft. at the building line.
 4. The streets interior to the property will be private streets.
 5. The historic gravel path connecting Parrot Avenue to Whittier Mill Village will be preserved and maintained by the homeowners association in cooperation with Whittier Mill Village. Easements for use of the path shall be granted to adjacent neighbors and recorded. Easements shall be granted to the following property owners:

Gerry Dokka	2881 Parrot Ave.
Yean Lee	2891 Parrot Ave.
Brent Verrill	2887 Parrot Ave.
Julie Miller	2875 Parrot Ave.
Raymond Griffin and Elizabeth Guevara	2869 Parrot Ave.
 6. All single family homes and patio homes will be detached dwellings containing one dwelling unit.
 7. Five (5) days prior to any application or petition for administrative approval or modification of the site plan, the property owner shall provide copies of the application or petition to the Chair of NPU-D, the President of the Whittier Mill Neighborhood Association, and the district councilmember.
 8. If entry signs are installed at the entrances to the development from Parrot Avenue or James Jackson Parkway, the sign area shall not exceed 35 square feet.
 9. The development shall consist of no more than 399 residential units. There shall be a minimum of 68 single family homes. There shall be a maximum of 85 apartment/condominium units and a maximum of 190 townhomes.
 10. All apartment/condominium units shall be located north of a line 325 feet north of and parallel to the south land lot line of Land Lot 255 of the 17th District, Fulton County, Georgia.
 11. Developer shall submit to the Georgia Department of Transportation a request for installation of a traffic signal on James Jackson Parkway at the entrance to the development. Developer also shall request that this curb cut at James Jackson Parkway be approved with right and left turn lanes exiting the property.
 12. During the site development phase, any and all exits from the property onto Parrot Avenue shall be posted "Left Turn Only." Once site development work is completed and residential construction has begun, all construction vehicles and

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Exhibit A
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equipment shall enter and exit the property from James Jackson Parkway and shall not enter or exit the property from Parrot Avenue.

13. Stop signs shall be installed at the two interior intersections closest to Parrot Avenue.
14. In the event of a conflict between any written condition herein and any matter set forth on the site plan, the written condition shall control.
15. If any condition or portion of a condition herein is deemed invalid or unenforceable, such decision or ruling shall not affect any other condition set forth herein.
16. The written conditions set forth herein and incorporated into the zoning ordinance also shall be recorded on any Site Plan submitted for legislative or administrative approval and on any Site Plan recorded in the deed records of Fulton County, Georgia.
17. The residences located on the north side of the first street running west of the entrance from Parrot Avenue shall be sited at a grade equal to or lower than the existing grade (exclusive of the grade of the existing roadway).
18. The residences located south of a line running 250 feet north of and parallel to Parrot Avenue shall not exceed 35 feet in height.
19. The residences located west of a line running 250 feet east of and parallel to the western boundary of the property shall not exceed 35 feet in height.
20. At the time the condo/apartment building is completed, a minimum of one-third of the units will be offered for sale as condominiums.

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Exhibit A

Page 3 of 3

LEGAL DESCRIPTION

All that tract or parcel of land lying in or being part of Land Lots 255 & 256 of the 17th District, City of Atlanta, of Fulton County, Georgia, which is more particularly described as follows:

To find the TRUE POINT OF BEGINNING commence at the Northwesternly right-of-way intersection of James Jackson Parkway (200' R/W) and Bolton Road (85' R/W), THENCE along the said right-of-way of Bolton Road, along a curve to the left having a radius of 540.72 feet and an arc length of 148.38 feet, being subtended by a chord of South 82 degrees 06 minutes 06 seconds West for a distance of 147.91 feet to an iron pin set, said iron pin being the TRUE POINT OF BEGINNING.

From the TRUE POINT OF BEGINNING as thus established proceed along said right-of-way along a curve to the left having a radius of 540.72 feet and an arc length of 238.53 feet, being subtended by a chord of South 61 degrees 36 minutes 09 seconds West for a distance of 236.60 feet to an iron pin set lying on the Northerly right-of-way of Parrot Ave. (50' R/W); THENCE along said right-of-way South 72 degrees 40 minutes 53 seconds West for a distance of 980.63 feet to a nail found; THENCE leaving said right-of-way, North 12 degrees 34 minutes 29 seconds West for a distance of 1425.46 feet to an iron pin set; THENCE North 76 degrees 58 minutes 58 seconds East for a distance of 5.11 feet to an iron pin set; THENCE South 23 degrees 17 minutes 06 seconds East for a distance of 18.00 feet to an iron pin set; THENCE along a curve to the left having a radius of 815.36 feet and an arc length of 547.91 feet, being subtended by a chord of North 47 degrees 27 minutes 50 seconds East for a distance of 537.66 feet to a point; THENCE North 29 degrees 04 minutes 10 seconds East for a distance of 371.36 feet to an iron pin set; THENCE North 61 degrees 10 minutes 20 seconds West for a distance of 35.16 feet to a 1/2" rebar found; THENCE North 27 degrees 23 minutes 53 seconds East for a distance of 202.54 feet to a 1/2" rebar with cap found; THENCE South 88 degrees 42 minutes 38 seconds East for a distance of 417.80 feet to an iron pin set lying on the Westerly right-of-way of said James Jackson Pkwy.; THENCE South 42 degrees 25 minutes 19 seconds East for a distance of 164.30 feet to a point; THENCE along a curve to the right having a radius of 1332.39 feet and an arc length of 416.11 feet, being subtended by a chord of South 34 degrees 03 minutes 47 seconds East for a distance of 414.43 feet to an iron pin set; THENCE leaving said right-of-way, South 72 degrees 35 minutes 03 seconds West for a distance of 499.55 feet to an iron pin set; THENCE South 17 degrees 24 minutes 57 seconds East for a distance of 374.30 feet to an iron pin set; THENCE North 72 degrees 35 minutes 03 seconds East for a distance of 497.10 feet to a 1/2" rebar found lying on said right-of-way of James Jackson Pkwy.; THENCE along a curve to the right having a radius of 1332.39 feet and an arc length of 107.89 feet, being subtended by a chord of South 06 degrees 38 minutes 49 seconds East for a distance of 107.86 feet to a point; THENCE South 04 degrees 19 minutes 38 seconds East for a distance of 721.53 feet to an iron pin set; THENCE leaving said right-of-way, South 85 degrees 54 minutes 38 seconds West for a distance of 149.66 feet to a 3/4" pipe found; THENCE South 04 degrees 44 minutes 58 seconds East for a distance of 187.77 feet to an iron pin set lying on said right-of-way of Bolton Road, said iron pin being the TRUE POINT OF BEGINNING.

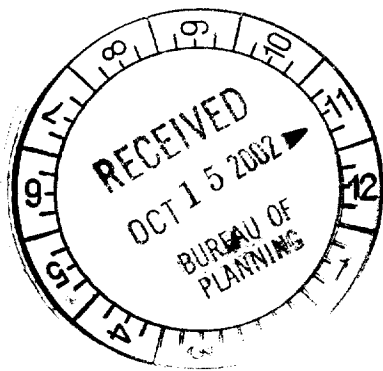


LEGAL DESCRIPTION

All that tract or parcel of land lying in or being part of Land Lots 255, 256, 263 & 264 of the 17th District, City of Atlanta, of Fulton County, Georgia, which is more particularly described as follows:

Point of Beginning: A concrete monument at the west side of sta. 36+82 of the Southern Railway Industrial Lead Track;

From the point of beginning along said lead track for a distance of 467.51' to a concrete monument. THENCE Northwest 20' to a concrete monument; THENCE Southwest along a radius for a distance of 1053.5' to a concrete monument; THENCE along a line North for 25' to a concrete monument; THENCE Southwest along a radius for a distance of 1524.5' to a concrete monument; THENCE Northeast along the Southern Railway Main Tracks for a distance of 862.2' to a concrete monument; THENCE following the banks of the Chattahoochee River for a distance of 2360' to a concrete monument; THENCE East 392^{+/-} to a concrete monument, said concrete monument being the point of beginning.



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Z-02-76

RCS# 4998
9/02/03
2:18 PM

Atlanta City Council

Regular Session

02-O-1986

Z-02-76 REZONE I-1 AND 1-2 TO PD-H
2142 JAMES JACKSON PKWY
ADOPT ON SUB

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

02-O-1986

02- 0-1986

(Do Not Write Above This Line)

AN ORDINANCE Z-02-76
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE I-1 (LIGHT INDUSTRIAL) AND I-2 (HEAVY INDUSTRIAL) DISTRICTS TO THE RG-2 (RESIDENTIAL GENERAL-SECTOR 2) DISTRICT, PROPERTY LOCATED AT 2142 JAMES JACKSON PARKWAY, N.W. FRONTING APPROXIMATELY 1400 FEET ON THE SOUTHWESTERLY SIDE OF JAMES JACKSON PARKWAY BEGINNING APPROXIMATELY 150 FEET NORTH FROM THE NORTHWEST CORNER OF BOLTON ROAD. DEPTH: VARIES; AREA: 75.3 ACRES; LAND LOTS 255, 256, 263, & 264, 17TH DISTRICT, FULTON COUNTY, GEORGIA.

OWNER: GENERAL SHALE PRODUCTS, LLC

APPLICANT: BHC PROPERTY GROUP
BY: SHARON A. GAY
NPU-D COUNCIL DISTRICT 9

TABLED BY CITY COUNCIL APR 21 2003
SEP 02 2003

ADOPTED BY COUNCIL
Tabled by City Council MAY 05 2003
Tabled by City Council MAY 19 2003
SUBSTITUTE TABLED BY CITY COUNCIL JUNE 2 2003

☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER

Date Referred 11/18/02

Referred To: ZRB + Zoning

Date Referred 11/17/03

Referred to Zoning

First Reading

Committee Zoning
Date Nov. 13 2002
Chair Debbie H. Starns

Committee Zoning
Date April 2, 2003
Chair [Signature]
Actions [Signature]
Fav, Adv, Held (see rev. side)
Other substitute
Members [Signature]
Refer To

Committee Zoning
Date July 16, 2003
Chair [Signature]
Actions [Signature]
Fav, Adv, Held (see rev. side)
Other [Signature]
Members [Signature]
Refer To

COUNCIL ACTION

☒ 2nd ^{11/10/03}
☐ 1st & 2nd ☐ 3rd
Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
SEP 02 2003
ATLANTA CITY COUNCIL PRESIDENT
Calvin W. Woodard

CERTIFIED
SEP 02 2003
Rachel Daughlin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

Andy Foster
SEP 10 2003